Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

In the Matter of	)	
	)	
Revision of the Commission's rules	)	CC Docket No. 94-102
to ensure compatibility with enhanced	)	RM-8143
911 emergency calling systems	)	

COMMENTS

Pursuant to Section 1.415(a) of the Federal Communications Commission ("FCC" or "Commission") Rules and Regulations, 47 C.F.R. § 1.415(a), Liberty Cellular, Inc. also known as Kansas Cellular ("Liberty Cellular"), by its attorneys, submits its comments on the above-referenced Notice of Proposed Rulemaking ("Notice").

Liberty provides cellular radio service in Rural Service Areas throughout Kansas from over 50 sites around the state, and extends coverage to approximately 90% of the state. It supports the Commission's goal of making 911 emergency service available to mobile communications users. Based upon its experience in the provision of 911 service within the state of Kansas, however, Liberty has practical concerns about the Commission's proposal for implementing mobile 911 services.

I. CELLULAR PROVIDERS ARE LIMITED BY LOCAL RESOURCES FOR 911 SERVICES

1. The Commission proposes to impose technical requirements for provision of 911 services on wireless providers, regardless of the capabilities of the local public service entities to receive the emergency 911 calls. This would impose an undue burden on wireless carriers and no concomitant benefit to the public.

2. In a rural state such as Kansas, many locales are not

equipped to receive emergency 911 calls. In those areas, requiring mobile service providers to equip their systems for 911 or enhanced 911 services would increase costs to the subscriber, who would be paying for the sophisticated technical equipment without receiving any benefit.

3. Local authorities, testifying last year before the Kansas legislature at a hearing on legislation calling for statewide 911 services, said that they are not equipped with Public Safety Answering Points ("PSAP") to receive 911 calls from wireless providers. And some local governments do not wish to establish PSAPs because the cost of doing so is likely to be paid for by taxing subscribers. Local officials also testified that being required to receive 911 calls from wireless users in neighboring counties, which calls are relayed to cellular towers in their jurisdiction, would be an unfair burden on them:

> We do not want to be responsible or liable for answering wireless 911 calls originating from any county other than the county in which our duly elected authority exists.

Testimony of William P. Burger, Chairman, Mitchell County Commissioners.

The Commission should take into account the status of PSAP services, particularly in sparsely populated rural areas, before imposing 911 obligations on wireless providers for access to these services.

4. Relatedly, the FCC proposal does not relieve wireless providers of liability for failure to provide 911 service in an area where the local authorities will not or cannot provide for the receipt of 911 emergency calls. In this regard, the FCC's plan

imposes an unreasonable burden on carriers and does nothing to improve emergency services to the public. Instead, carrier obligations and liability, if any, should only be triggered when PSAPs area available for use in a particular area.

II. THE 911 TECHNICAL PROPOSALS ARE COSTLY AND OF QUESTIONABLE BENEFIT IN RURAL AREAS

5. The Commission proposes that in the second of its three-stage plan for implementation of 911 service by wireless carriers, three years from adoption of its rules in this proceeding, the carrier would be required to provide a PSAP with an estimate of the approximate location and distance of the mobile unit from the receiving base station or cell site. (Notice, at para. 50) Cellular entities do not currently have the capability of mobile location beyond that of identifying the site serving the mobile.

6. New software, and perhaps new hardware, would have to be developed and installed to perform this level of location identification, and equipment would have to be standardized to operate effectively. The new software/hardware needed would be costly. Historically, achieving any standardization involving system software among equipment manufacturers has been difficult. This is due in large part to manufacturers' reticence to share proprietary information, software in particular. Different protocols would have to be accommodated as well to achieve uniformity. The cost burden of developing standardized equipment to accommodate the level of site location the Commission proposes outweighs the practical benefits of such technology.

7. In a mobile environment, location to the nearest cell site would not always be appropriate. Mobile users, in motion, will not be calling for 911 emergency services from the location of the emergency. Therefore pinpointing the caller's location to the nearest cell site will not necessarily be helpful in locating the site of the emergency. Moreover, due to propagation abnormalities, even a stationary mobile could be served by a cell site other than the closest one.

8. The Commission also proposes that five years out the wireless carrier be capable of 3-dimensional location of 911 calls. (Notice, at para 51) Millions of cellular phones in use are not equipped with geopositioning equipment required for such location detail and would therefore have to be modified at considerable cost. Moreover, such capabilities would require equipment different than that used in the Commission's second-stage, thereby rendering the second-stage equipment obsolete. Also, here again the Commission is requiring more information than is necessary for cellular location, especially in rural areas.

9. Rather than require costly software that will be difficult to standardize, and of questionable benefit to the public in a mobile environment, existing software can be used to identify the location of a 911 caller to the nearest base station. This is currently employed for cellular system hand-off. It is both cost-effective and of some use in identifying the location of 911 calls over mobile radio. Software may have to be tested, and perhaps perfected for most effective 911 use; but this would be a far less

costly means of accomplishing the FCC's objective.

CONCLUSION

The Commission should consider the practical utility of requiring wireless carriers to expend considerable resources for sophisticated location identification equipment to access 911 emergency services. If the PSAPs are not in existence, as is the case in many rural communities, there is no benefit to having the access capability, but no emergency service to access. And precise location identification of 911 callers who are mobile is of questionable use. For these reasons, the Commission should consider adapting existing location identification methods, such as signal strength, to 911 calling use, rather than mandate new, costly location identification equipment.

Respecfully submitted,

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